

108TH CONGRESS
1ST SESSION

H. R. 1483

To require certain studies regarding the health effects of exposure to depleted uranium munitions, to require the cleanup and mitigation of depleted uranium contamination at sites of depleted uranium munition use and production in the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 27, 2003

Mr. McDERMOTT (for himself, Mr. RANGEL, Mr. MARKEY, Mr. CONYERS, Mrs. JONES of Ohio, Ms. LEE, and Ms. BALDWIN) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require certain studies regarding the health effects of exposure to depleted uranium munitions, to require the cleanup and mitigation of depleted uranium contamination at sites of depleted uranium munition use and production in the United States, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Depleted Uranium Munitions Study Act of 2003” .

1 (b) TABLE OF CONTENTS.—The table of contents of
 2 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Purposes.
- Sec. 4. Study of health effects of exposure to depleted uranium.
- Sec. 5. EPA studies of environmental contamination by depleted uranium.
- Sec. 6. Environmental mitigation and cleanup requirements for depleted uranium.

3 **SEC. 2. FINDINGS.**

4 Congress finds the following:

5 (1) The highest regard should be given to the
 6 health and safety of the members of the United
 7 States Armed Forces.

8 (2) Depleted uranium, a toxic, carcinogenic,
 9 and radioactive material with a half-life of
 10 4,500,000,000 years, is used as an ingredient in var-
 11 ious munitions used by the United States Armed
 12 Forces.

13 (3) Depleted uranium munitions were used by
 14 the United States Armed Forces in 1991 during the
 15 Persian Gulf War and during the conflicts in the
 16 former Federal Republic of Yugoslavia (Bosnia,
 17 Kosovo, Serbia, and Montenegro) during the 1990s,
 18 with approximately 300 metric tons of depleted ura-
 19 nium being used during the Persian Gulf War, ap-
 20 proximately three metric tons being used in Bosnia,
 21 and approximately nine metric tons being used in
 22 Kosovo, Serbia, and Montenegro.

1 (4) Among the characteristics of depleted ura-
2 nium munitions are that—

3 (A) they are pyrophoric, resulting in the
4 munition burning upon impact with a target;
5 and

6 (B) the impact of a depleted uranium mu-
7 nition on a target creates aerosol particles,
8 which can be inhaled.

9 (5) The United States has provided or sold de-
10 pleted uranium and depleted uranium munitions to
11 allied nations, and the armed forces of the United
12 Kingdom used depleted uranium munitions during
13 the Persian Gulf War.

14 (6) Depleted uranium munitions have been used
15 at numerous United States military installations,
16 proving grounds, and testing facilities.

17 (7) No definitive cause has been established for
18 the various illnesses (commonly referred to as Gulf
19 War Syndrome) that affect approximately 130,000
20 members and former members of the United States
21 Armed Forces who served in Southwest Asia during
22 the Persian Gulf War.

23 (8) The Iraqi Government has claimed that de-
24 pleted uranium from depleted uranium munitions is

1 affecting the health of their people, although such
2 claims have not been independently verified.

3 (9) The United States Navy and the British
4 Royal Navy are phasing out use of depleted uranium
5 munitions, and the Canadian Navy has ceased using
6 depleted uranium munitions.

7 (10) It has been reported that depleted ura-
8 nium munitions use has proliferated to more than
9 20 nations.

10 (11) The 1949 Geneva Convention specifically
11 outlines the precautions warring nations must take
12 to avoid harming civilian populations, and it would
13 be a violation of the 1977 Protocol to that Conven-
14 tion to cause superfluous injury or unnecessary suf-
15 fering to civilians, as depleted uranium munitions
16 may cause.

17 **SEC. 3. PURPOSES.**

18 The purposes of this Act are—

19 (1) to provide for studies of—

20 (A) the health effects resulting from expo-
21 sure to depleted uranium munitions by inhala-
22 tion, ingestion, or injection; and

23 (B) environmental contamination caused
24 by depleted uranium at sites where depleted
25 uranium was used in conflict, development, test-

1 ing, or training and at sites where depleted ura-
2 nium and depleted uranium munitions were
3 produced; and

4 (2) to require the cleanup and mitigation of de-
5 pleted uranium contamination at sites of depleted
6 uranium munition use and production in the United
7 States.

8 **SEC. 4. STUDY OF HEALTH EFFECTS OF EXPOSURE TO DE-**
9 **PLETED URANIUM.**

10 (a) STUDY.—The Director of the Agency for Toxic
11 Substances and Disease Registry and the Director of the
12 Center for Disease Control and Prevention shall jointly
13 conduct a comprehensive study of the health effects of ex-
14 posure to depleted uranium munitions on uranium-exposed
15 veterans and on children of uranium-exposed veterans who
16 were born after the exposure of the uranium-exposed vet-
17 erans to depleted uranium.

18 (b) URANIUM-EXPOSED VETERANS.—In this section,
19 the term “uranium-exposed veteran” means a member or
20 former member of the United States Armed Forces who
21 handled, came in contact with, or had the likelihood of
22 contact with depleted uranium munitions while on active
23 duty, including members and former members who—

24 (1) were exposed to smoke from fires resulting
25 from the burning of vehicles containing depleted ura-

1 nium munitions or fires at depots at which depleted
2 uranium munitions were stored;

3 (2) worked within environments containing de-
4 pleted uranium dust or residues from depleted ura-
5 nium munitions;

6 (3) were within a structure or vehicle while it
7 was struck by a depleted uranium munition;

8 (4) climbed on or entered equipment or struc-
9 tures struck by a depleted uranium munition; or

10 (5) were medical personnel who provided initial
11 treatment to members of the Armed Forces de-
12 scribed in paragraph (1), (2), (3), or (4).

13 (c) PUBLIC HEALTH ASSESSMENT.—The Directors
14 also shall jointly conduct a public health assessment of
15 persons who are thought to have an epidemiological link—

16 (1) to any United States military installation or
17 facility at which depleted uranium munitions have
18 been, or currently are, used; and

19 (2) any production facility in the United States
20 at which depleted uranium or depleted uranium mu-
21 nitions are currently, or have been, produced.

22 (d) REPORT.—Not later than two years after the date
23 of the enactment of this Act, the Directors shall submit
24 to Congress a report on the results of the study under
25 subsection (a) and the assessment under subsection (c).

1 The Directors shall include in the report a list of diseases
2 or conditions that are found to exist within the populations
3 specified in subsection (a) and their rate of occurrence
4 compared to the general population.

5 **SEC. 5. EPA STUDIES OF ENVIRONMENTAL CONTAMINA-**
6 **TION BY DEPLETED URANIUM.**

7 (a) LIST OF DEPLETED URANIUM SITES IN UNITED
8 STATES.—Not later than 180 days after the date of the
9 enactment of this Act, the Secretary of Defense shall pro-
10 vide to the Administrator of the Environmental Protection
11 Agency a list of all sites in the United States where de-
12pleted uranium munitions have been used or produced and
13 a site-specific map of each site.

14 (b) EPA STUDIES.—After receipt of the list and
15 maps under subsection (a), the Administrator shall con-
16 duct a comprehensive environmental study of each site
17 specified on the list evaluating the possible contamination
18 of the soil, air, water, and vegetation by depleted uranium
19 at that site.

20 (c) REPORT.—Not later than two years after the date
21 of the enactment of this Act, the Administrator shall sub-
22 mit to the Secretary of Defense and the Committee on
23 Armed Services and the Committee on Government Re-
24 form of the House of Representatives and the Committee

1 on Armed Services and the Committee on Governmental
2 Affairs of the Senate a report—

3 (1) describing the extent of contamination by
4 depleted uranium at each site studied by the Admin-
5 istrator pursuant to subsection (b);

6 (2) providing site-specific recommendations for
7 the mitigation and cleanup of each such site; and

8 (3) providing general recommendations regard-
9 ing the cleanup of sites where depleted uranium has
10 been used on foreign lands.

11 **SEC. 6. ENVIRONMENTAL MITIGATION AND CLEANUP RE-**
12 **QUIREMENTS FOR DEPLETED URANIUM.**

13 (a) DEPARTMENT OF DEFENSE CLEANUP PLAN.—
14 Not later than one year after receiving the report required
15 by section 5(c), the Secretary of Defense shall develop a
16 plan for the mitigation and cleanup of depleted uranium
17 at those sites covered by the report. The plan shall include
18 a prioritized schedule for the mitigation and cleanup of
19 such sites. The Secretary shall submit a copy of the plan
20 to the Committee on Armed Services and the Committee
21 on Government Reform of the House of Representatives
22 and the Committee on Armed Services and the Committee
23 on Governmental Affairs of the Senate.

24 (b) CLEANUP.—After filing the plan under subsection
25 (a), the Secretary of Defense shall commence, directly or

1 by contract, the mitigation and cleanup of depleted ura-
2 nium at each site covered by the report required by section
3 5(c). The mitigation and cleanup shall be conducted in the
4 manner and scope specified in the report.

5 (c) APPLICABILITY OF NEPA.—The cleanup and
6 mitigation required by subsection (b) shall be carried out
7 in a manner consistent with the National Environmental
8 Policy Act of 1969 (42 U.S.C. 4321 et seq.), notwith-
9 standing any exemption to any of the provisions of that
10 Act for the Department of Defense or any element thereof.

11 (d) PROGRESS REPORTS.—The Secretary of Defense
12 shall submit annual progress reports to the the Adminis-
13 trator of the Environmental Protection Agency and the
14 congressional committees specified in subsection (a) until
15 the mitigation and cleanup of depleted uranium at those
16 sites covered by the report required by section 5(c) are
17 complete.

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